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Supreme Court
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SCAD-18-0000015

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

OFFICE OF DISCIPLINARY COUNSEL,
Petitioner,

vs.

JAMES S. RICHARDS,
Respondent.

ORIGINAL PROCEEDING
(ODC 17-0-198)

ORDER OF DISBARMENT

(By: Recktenwald, C.J., Nakayama, McKenna, Pollack, and Wilson, JJ.)

Upon consideration of the April 17, 2019 motion for the reciprocal disbarment of Respondent James S. Richards, filed by the Office of Disciplinary Counsel (ODC) pursuant to Rule 2.15(b) of the Rules of the Supreme Court of the State of Hawai'i (RSCH), the May 1, 2019 notice and order entered by this court, and the record in this matter, we find that, on September 27, 2018, the Supreme Court of the State of California entered an order, disbarring Respondent Richards, based upon Richards's conviction for willfully attempting to evade the payment of federal income taxes for the years 1994 through 2003, and engaging in conduct involving intentional dishonesty and concealment, conduct which, if committed in this jurisdiction, would constitute violations of

Rules 8.4(b) and 8.4(c) of the Hawai'i Rules of Professional Conduct (2014). We further find that the record in this matter establishes that service of the May 1, 2019 Notice and Order was properly made upon Respondent Richards on May 2, 2019 at the address Respondent Richards has registered with the Hawai'i State Bar Association for service of process and, therefore, that Respondent Richards had until June 3, 2019 to show cause as to why his disbarment in this jurisdiction is unwarranted. Respondent Richards has not responded to the Notice and Order, and a review of the record and precedent demonstrates, pursuant to RSCH Rules 2.15(c) and (d), that reciprocal discipline is authorized and justified. Therefore,

IT IS HEREBY ORDERED that Respondent James S. Richards is disbarred from the practice of law in this jurisdiction, pursuant to RSCH Rules 2.3(a)(1) and 2.15(c). Furthermore, RSCH Rule 2.16(c) notwithstanding, insofar as the record indicates Respondent Richards has been restrained from practice in this jurisdiction since January 18, 2018, the disbarment shall be effective immediately upon entry of this order.

IT IS FINALLY ORDERED that Respondent Richards is reminded he may not resume the practice of law in this jurisdiction until reinstated by order of this court.

DATED: Honolulu, Hawai'i, June 26, 2019.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

